

(c) REMARKS

The claims are 1 and 2, with claim 1 in independent form. The subject matter of claim 3 has now been incorporated into claim 1. Favorable reconsideration is respectfully requested.

Applicants kindly thank the Examiner for the indication that claim 3 contains allowable subject matter and would itself be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. Applicants have amended claim 1 to include the allowable subject matter of claim 3. Consequently, claim 1 is now believed to be in condition for allowance. Moreover, because claim 2 depends from now-amended claim 1, it too is believed allowable.

Claims 1, 5-7, 9, 11 and 12 have been rejected under 35 U.S.C. § 102(b) as allegedly anticipated or, in the alternative, as allegedly obvious under 35 U.S.C. § 103(a) over U.S. Patent No. 6,656,654 (Higuchi et al.). Further, claims 1, 2, 5-7 and 9-12 are rejected under 35 U.S.C. § 102(e) as anticipated, or alternatively, as obvious under § 103(a) over U.S. Patent Application Publication No. 2002/0165760 (Higuchi et al.), with claims 1, 2, 4-7, 9, 11 and 12 further alleged to be unpatentable over the combination of Higuchi '654 with U.S. Patent Application Publication No. 2002/0081513 (Higuchi et al.).

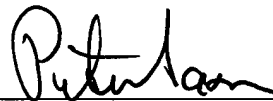
Applicants respectfully submit that the cancellation of claims 4-12 has rendered moot the above rejections with respect to these claims. Claims 1 and 2 are seen to be in condition for allowance for the reasons discussed above. Applicants also note that the present amendments and cancellations are being made without prejudice or disclaimer of the subject matter, and without conceding the correctness of the art rejections. Instead, these actions are intended only to expedite prosecution and have the claims pass to issue.

Furthermore, it is Applicants' current intention to pursue a divisional application for the subject matter of the rejected claims.

This Amendment After Final Action is believed to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter Saxon", is written over a horizontal line.

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